

**SAN DIEGO POLICE DEPARTMENT  
PROCEDURE**

**DATE:** MAY 5, 2020

**NUMBER:** 3.24 - INVESTIGATIONS

**SUBJECT:** CONVERSION OF UNCLAIMED  
PROPERTY

**RELATED POLICY:** N/A

**ORIGINATING DIVISION:** OPERATIONAL SUPPORT

**NEW PROCEDURE:** ■

**PROCEDURAL CHANGE:** ■ **EXTENSIVE CHANGES**

**SUPERSEDES:** DP 3.24 – 10-02-2017

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**I. PURPOSE**

NEW

This Department procedure establishes guidelines for the conversion of eligible, unclaimed, impounded property for public purposes.

**II. SCOPE**

This procedure applies to all members of the Department.

**III. BACKGROUND**

NEW

San Diego Municipal Code section 22.0603 governs conversion of unclaimed property. Additionally, California Penal Code Section 1411 allows for the conversion of stolen or embezzled impounded property under certain conditions. The Police Department, as well as other City Departments may request items to be converted for a public purpose.

**IV. DEFINITIONS**

NEW

**Conversion** – Conversion means the process of releasing unclaimed property from impound and reassigning for City public purposes.

**Public Purpose** – A public purpose is one which benefits the City or assists City personnel in conducting City-related business.

**Unclaimed** – Property is unclaimed when it has been held for the time period required by law, when all required notices have been given, and no owner has retrieved or claimed the property.

V. **ELIGIBILITY FOR CONVERSION**

NEW

**A. Property may only be converted for a public purpose.**

NEW

**B. Unclaimed Property**

Unclaimed property held for three months may be eligible for conversion for public purposes after attempted sale at a public auction, as required by Municipal Code section 22.0603.

NEW

**C. Stolen or Embezzled Property**

1. Stolen or embezzled property must be held for at least three months if notice was given to the true owner, or six months if the true owner was not identified and no notice was given, pursuant to Section 1411 of the California Penal Code.
2. After the required notice and storage period, stolen or embezzled property may be eligible for conversion for public purposes after attempted sale at a public auction, as required by Municipal Code section 22.0603.

NEW

**D. Items Ineligible for Conversion**

1. Items for personal use will not be converted. Examples of items ineligible for conversion include:
  - a. Microwave ovens;
  - b. Refrigerators;
  - c. Briefcases for carrying personal items; and,
  - d. AM/FM Radios or MP3 players for individual use.
2. Firearms surrendered by a citizen for destruction are not eligible for conversion.

3. Firearms obtained through a Gun Buy Back Program are not eligible for conversion.

## VI. PROCEDURE FOR REQUESTING ITEMS

NEW

- A. Any Department member or other City employee requesting items to be converted must complete a Conversion Request Form (PD-823). These forms are available on the F: drive under Templates, Administrative, Property Conversion form, or at the Headquarters Property Room, as well as area station property rooms, and may be made available to other City Departments upon request.

NEW

- B. One Conversion Request Form (PD-823) must be completed for each item requested.

NEW

- C. All requests must be approved by the appropriate commanding officer, or deputy director from other City Departments.

NEW

- D. Approved forms should be forwarded to the Senior Property and Evidence Supervisor at MS 729.

NEW

- E. Approved forms will be reviewed by the Senior Property and Evidence Supervisor and Captain over Operational Support. Approved forms will then be sent to the Assistant Chief of Support Operations for final approval.

NEW

- F. All approved requests will remain in the Headquarters Property Room until the requested item becomes available for conversion, or until the Senior Property and Evidence Supervisor is notified that the item is no longer needed.

NEW

- G. All requests for conversion of computer equipment must also be approved by the Information Services Division.

NEW

- H. Anyone requesting small, miscellaneous hand tools or disposable items valued at \$25.00 or less may sign for the item in the log provided at the Headquarters Property Room. A Conversion Request Form is not required. The log will be maintained by the Headquarters Property Room for two years.

## VII. PROCEDURE FOR PICKING UP CONVERTED ITEMS

NEW

- A. A Property and Evidence Supervisor will contact the requestor when the requested items become available.
- B. A Property and Evidence Supervisor will determine the value of each item

converted.

NEW

C. An item with a value of \$5,000 or more will be assigned a City property number by the Headquarters Property Room prior to release.

NEW

D. When a City property number is issued, a copy of the completed Conversion Request Form (PD-823) will be sent to Fiscal Management.

NEW

E. An item with a value of less than \$5,000 will be affixed with a blue City of San Diego tag.

NEW

F. A Property and Evidence Supervisor will complete the "Property Section" of the Conversion Request Form (PD-823). The recipient must sign for the item.

G. Department members or other City employees receiving an item from the Headquarters Property Room will receive a copy of the Conversion Request Form (PD-823) and will be responsible to account for the use, storage, and disposition of each item converted.

H. All firearms converted to Department use will be distributed through Operational Support. Operational Support is responsible for updating the record in the Automated Firearm System and adding the firearm to the Department inventory.

### VIII. PROCEDURE FOR DISPOSING OF CONVERTED ITEMS

NEW

A. All converted property no longer operational or needed must reflect a disposition on the Conversion Request Form (PD-823). The recipient or assigned Department contact must complete this section of the Conversion Request Form (PD-823).

B. When converted firearms are being destroyed, Operational Support must be notified to update the Department inventory and the Automated Firearm System.

NEW

C. After the disposition, the Conversion Request Form (PD-823) form must be retained by the Department Command or other recipient City Department for two years.

NEW

D. If the item is transferred to another City Department, attach a copy of City Transfer Advice Form (COM-9).